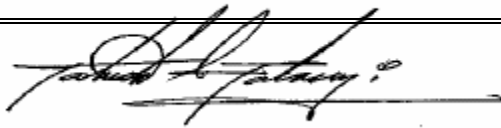


**IDAHO STATE
DEPARTMENT OF AGRICULTURE**

APPROVED BY:



ORIGINAL EFFECTIVE DATE:

November 17, 2003

REVISION DATE:

TITLE:

Reasonable Accommodations Policy

Purpose

It is the policy of the Idaho State Department of Agriculture to provide reasonable accommodations for qualified individuals with disabilities who are employees or applicants for employment. The Department will adhere to all applicable federal, state and local laws, regulations, and guidelines with respect to providing reasonable accommodations as required affording equal employment opportunity to qualified individuals with disabilities. Reasonable accommodations shall be provided in a timely and cost-effective manner.

Definitions

Individual with Disability – Any person who has or who has acquired a physical or mental impairment or who has a history of such an impairment which substantially limits one or more major life activities, such as, self-care, performing manual tasks, seeing, hearing, speaking, breathing or working.

Qualified Individual With a Disability – An individual with a disability whose experience, education and/or training enable the person with or without reasonable accommodation to perform the essential functions of the job.

Reasonable Accommodation – The effort made to make adjustments for the disability of an employee or applicant by structuring the job or the work environment in a manner that will enable the individual with a disability to perform the essential functions of the job. Reasonable accommodation includes, but is not limited to, modifying written examinations, making facilities accessible, adjusting work schedules, and restructuring jobs, providing assistive devices or equipment, providing readers or interpreters and modifying work sites.

Undue Hardship – Excessively costly, extensive, substantial, disruptive or that would fundamentally alter the nature or operation of the business.

Reasonable Accommodations Committee – The Department has established a committee to review and monitor provision of reasonable accommodations to employees or applicants. The Reasonable Accommodations Committee is composed of the Human Resource Officer, and the other members of the Department's Human Resource Office. Medical advisory, legal advisory and individuals with disabilities may also participate in an advisory capacity.

Applicants for Employment – Reasonable accommodations for applicants for employment include:

1. Asking only those questions which determine whether an applicant can perform specific job functions and which focus on an applicant's ability to perform the job, not on disability (includes application and interview process).
2. Informing applicants that they may request any needed accommodation to participate in the application or interview process.
3. Providing the requested accommodation unless it would cause an undue hardship.

Practices

1. Managers and supervisors shall utilize an analysis of jobs within their units to define the essential functions of the position as well as the environment in which such activities occur (job descriptions, position description questionnaires, class specifications, etc.). Such documentation shall be updated periodically. Documents prepared or utilized for this purpose may be used for other personnel actions.
2. In considering an individual with a disability for employment or for promotion or in any other personnel action, the existence of their disabling condition should not adversely affect a personnel decision. Employment opportunities shall not be denied to anyone because of the need to make reasonable accommodation to the individual's disability.
3. In considering an individual with a disability, it is appropriate to determine the ability of the person to perform the essential functions of the job with reasonable accommodation. A request for medical

- verification of the disability of the person requesting the accommodation may be appropriate.
4. Supervisors shall have the authority to make reasonable accommodations for applicants or employees. Any requested accommodation for which disapproval is contemplated or which involves structural change, or any other unusual accommodation request, will be submitted to the Reasonable Accommodations Committee for review before a decision is acted upon. The Reasonable Accommodation Committee will submit their recommendation for approval, modification or disapproval to the Deputy Director for a decision.
 5. The Reasonable Accommodations Committee shall meet as needed to review reasonable accommodation decisions and the effectiveness of this policy.
 6. If the employee wishes to challenge a decision of the Deputy Director, he or she shall have access to the due process and problem solving procedure.
 7. The employee and his or her supervisor shall monitor the effectiveness of the accommodation on a yearly basis, or earlier as the circumstances demand.
 8. Individuals with disabilities shall be afforded the opportunity to provide accommodations for themselves if it is determined that the Department will not provide them. However, the individual with a disability shall not be afforded the opportunity to make accommodations which affect a temporary or permanent change to any structure, or which involve restructuring of the job in question without the written consent of the responsible individual in the Department.

Implementation

This policy shall be implemented by use of the reasonable accommodations procedure and the policy shall be reviewed periodically for effectiveness.

Implementation Procedure**Reasonable Accommodation (Disability)**

Employees are responsible to inform their supervisor that they need and are entitled to an accommodation. Whether the employee's request is communicated verbally or in writing, the attached Request for Reasonable Accommodation Form should be used to document the request and to initiate dialogue about it.

Inasmuch as deciding who is a "qualified individual with a disability" is a case-by-case process, depending on the circumstances of the particular employment situation, consultation with the Deputy Director is required. When a qualified individual with a disability requests an accommodation, reasonable effort must be made to provide an accommodation that is effective for that individual. When considering accommodation requests for employees or job applicants, the following process will be used:

1. Look at the particular job involved. Determine its purpose and its essential functions.
2. Consult with the individual with the disability to find out his or her specific physical or mental abilities and limitations as they relate to the essential job functions. Identify the barriers to job performance and assess how these barriers could be overcome with an accommodation.
3. In consultation with the individual, identify potential accommodations and assess how effective each would be in enabling the individual to perform essential job functions. If this consultation does not identify an appropriate accommodation, technical assistance is available from a number of sources.
4. If there are several effective accommodations that would provide an equal employment opportunity, consider the preference of the individual with a disability and select the accommodation that best serves the needs of the individual and the employer.

If more than one accommodation would be effective for the individual with a disability, or if the individual would prefer to provide his or her own accommodation, the individual's preference should be given first consideration. However, management is free to choose among effective accommodations, and may choose one that is less expensive or easier to provide.

The fact that an individual is willing to provide his or her own accommodations does not relieve management of the duty to provide this or another reasonable accommodation should this individual for any reason be unable or unwilling to continue to provide the accommodation.

The Deputy Director may provide reasonable accommodation after consultation with the individual and others concerned, and shall make a good faith effort to implement the accommodation suggested by the individual, unless it would cause an undue hardship on the operation of the Department. Any requested accommodation for which disapproval is contemplated or which involves structural change, or any other unusual accommodation request, will be submitted to the Reasonable Accommodations Committee for review before a decision is acted upon.

Reasonable accommodations requests which are denied or with which the individual with a disability is dissatisfied, may be appealed through the established due process and problem solving procedure (Internal Policy Memorandum 2001) if eligible. If not eligible, the appropriate complaint procedure may be utilized.

Reasonable Accommodations Procedure

Request for Reasonable Accommodation Form (Confidential)

Date _____

1. Name of Individual

Requesting Accommodation: _____

2. Title: _____

3. Work Location: _____

4. Immediate Supervisor: _____

5. Nature of the qualifying disability (attach Medical verification, if appropriate):

6. Requested or suggested accommodation to enable you to perform the essential functions of the job (please attach a job description, etc.):

Signature: _____ Date: _____

7. Supervisor's recommendation and comments:

Approximate cost of the requested accommodation: _____

_____ Recommend Approval _____ Recommend Disapproval

Comments: _____

Signature: _____ Date: _____

8. Manager's approval or referral:

_____ Approved _____ Referred

(Any requested accommodation for which disapproval is contemplated or which involves structural change, or any other unusual accommodation request, will be submitted to the Department's Reasonable Accommodations Committee for review before a decision is acted upon.)

Manager's Signature: _____ Date: _____

Comments: _____

9. Reasonable Accommodation Committee review (only if required; See Step 8):

_____ Concur _____ Deny _____ Modify

Comments: _____

Authorized Signature:

Date recommendation communicated to Deputy Director:

10. Appealed or Problem Solving Requested:

_____ Yes _____ No

11. Final Disposition:

Deputy Director's Decision

_____ Concur _____ Deny _____ Modify

This form, when completed, is to be retained in a confidential file.